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United States Code Annotated

Federal Rules of Civil Procedure for the United States District Courts (Refs & Annos)

Rule 7.1 Disclosure Statement

FRCP Rule 7.1 | United States Code Annotated | Federal Rules of Civil Procedure for the United States District Courts (Approx. 3 pages)

Federal Rules of Civil Procedure Rule 7.1

Rule 7.1 Disclosure Statement

Currentness

NOTES OF DECISIONS (6)[Debtor and creditor relationships](#)[Disqualification of judge](#)[Failure to disclose](#)[Identity](#)[Waiver](#)**(a) Who Must File; Contents.**

(1) Nongovernmental Corporations. A nongovernmental corporate party or a nongovernmental corporation that seeks to intervene must file a statement that:

(A) identifies any parent corporation and any publicly held corporation owning 10% or more of its stock; or

(B) states that there is no such corporation.

(2) Parties or Intervenorors in a Diversity Case. In an action in which jurisdiction is based on diversity under [28 U.S.C. § 1332\(a\)](#), a party or intervenor must, unless the court orders otherwise, file a disclosure statement. The statement must name--and identify the citizenship of--every individual or entity whose citizenship is attributed to that party or intervenor:

(A) when the action is filed in or removed to federal court, and

(B) when any later event occurs that could affect the court's jurisdiction under [§ 1332\(a\)](#).

(b) Time to File; Supplemental Filing. A party, intervenor, or proposed intervenor must:

(1) file the disclosure statement with its first appearance, pleading, petition, motion, response, or other request addressed to the court; and

(2) promptly file a supplemental statement if any required information changes.

CREDIT(S)

(Adopted April 29, 2002, effective December 1, 2002; April 30, 2007, effective December 1, 2007; April 11, 2022, effective December 1, 2022.)

<Amendments received through April 1, 2024>

ADVISORY COMMITTEE NOTES

2002 Adoption

Rule 7.1 is drawn from [Rule 26.1 of the Federal Rules of Appellate Procedure](#), with changes to adapt to the circumstances of district courts that dictate different provisions for the time of filing, number of copies, and the like. The information required by Rule 7.1(a) reflects the "financial interest" standard of Canon 3C(1)(c) of the Code of Conduct for United States Judges. This information will support properly informed disqualification decisions in situations that call for automatic disqualification under Canon 3C(1)(c). It does not cover all of the circumstances that may call for disqualification under the financial interest standard, and does not deal at all with other circumstances that may call for disqualification.

Although the disclosures required by Rule 7.1(a) may seem limited, they are calculated to reach a majority of the circumstances that are likely to call for disqualification on the basis of financial information that a judge may not know or recollect. Framing a rule that calls for more detailed disclosure will be difficult. Unnecessary disclosure requirements place a burden on the parties and on courts. Unnecessary disclosure of volumes of information may create a risk that a judge will overlook the one bit of information that might require disqualification, and may create a risk that unnecessary disqualifications will be made rather than attempt to unravel a potentially difficult question. It has not been feasible to dictate more detailed disclosure requirements in Rule 7.1(a).

Rule 7.1 does not prohibit local rules that require disclosures in addition to those required by Rule 7.1. Developing experience with local disclosure practices and advances in electronic technology may provide a foundation for adopting more detailed disclosure requirements by future amendments of Rule 7.1.

Changes Made After Publication and Comment. The provisions that would require disclosure of additional information that may be required by the Judicial Conference have been deleted.

2007 Amendment

The language of Rule 7.1 has been amended as part of the general restyling of the Civil Rules to make them more easily understood and to make style and terminology consistent throughout the rules. These changes are intended to be stylistic only.

2022 Amendment

Rule 7.1(a)(1). Rule 7.1 is amended to require a disclosure statement by a nongovernmental corporation that seeks to intervene. This amendment conforms Rule 7.1 to similar recent amendments to Appellate [Rule 26.1](#) and Bankruptcy Rule 8012(a).

Rule 7.1(a)(2). Rule 7.1 is further amended to require a party or intervenor in an action in which jurisdiction is based on diversity under [28 U.S.C. § 1332\(a\)](#) to name and disclose the citizenship of every individual or entity whose citizenship is attributed to that party or intervenor. The disclosure does not relieve a party that asserts diversity jurisdiction from the Rule 8(a)(1) obligation to plead the grounds for jurisdiction, but is designed to facilitate an early and accurate determination of jurisdiction.

Two examples of attributed citizenship are provided by [§ 1332\(c\)\(1\) and \(2\)](#), addressing direct actions against liability insurers and actions that include as parties a legal representative of the estate of a decedent, an infant, or an incompetent. Identifying citizenship in such actions is not likely to be difficult, and ordinarily should be pleaded in the complaint. But many examples of attributed citizenship arise from noncorporate entities that sue or are sued as an entity. A familiar example is a limited liability company, which takes on the citizenship of each of its owners. A party suing an LLC may not have all the information it needs to plead the LLC's citizenship. The same difficulty may arise with respect to other forms of noncorporate entities, some of them familiar--such as partnerships and limited partnerships--and some of them more exotic, such as "joint ventures." Pleading on information and belief is acceptable at the pleading stage, but disclosure is necessary both to ensure that diversity jurisdiction exists and to protect against the waste that may occur upon belated discovery of a diversity-destroying citizenship. Disclosure is required by a plaintiff as well as all other parties and intervenors.

What counts as an "entity" for purposes of Rule 7.1 is shaped by the need to determine whether the court has diversity jurisdiction under [§ 1332\(a\)](#). It does not matter whether a collection of individuals is recognized as an entity for any other purpose, such as the capacity to sue or be sued in a common name, or is treated as no more than a collection of individuals for all other purposes. Every citizenship that is attributable to a party or intervenor must be disclosed.

Discovery should not often be necessary after disclosures are made. But discovery may be appropriate to test jurisdictional facts by inquiring into such matters as the completeness of a disclosure's list of persons or the accuracy of their described citizenships. This rule does not address the questions that may arise when a disclosure statement or discovery responses indicate that the party or intervenor cannot ascertain the citizenship of every individual or entity whose citizenship may be attributed to it.

The rule recognizes that the court may limit the disclosure in appropriate circumstances. Disclosure might be cut short when a party reveals a citizenship that defeats diversity jurisdiction. Or the names of identified persons might be protected against disclosure to other parties when there are substantial interests in privacy and when there is no apparent need to support discovery by other parties to go behind the disclosure.

Disclosure is limited to individuals and entities whose citizenship is attributed to a party or intervenor. The rules that govern attribution, and the time that controls the determination of complete diversity, are matters of subject-matter jurisdiction that this rule does not address. A supplemental statement is required if an event occurs after initial filing in federal court or removal to it that requires a determination of citizenships as they exist at a time after the initial filing or removal.

Rule 7.1(b). Rule 7.1(b) is amended to reflect the provisions in Rule 7.1(a) that extend the disclosure obligation to proposed intervenors and intervenors.

Relevant Additional Resources

Additional Resources listed below contain your search terms.

RESEARCH REFERENCES

Encyclopedias

[61A Am. Jur. 2d Pleading § 125](#), Complaint or Petition Under Federal Rules of Civil Procedure; Disclosure Statement.

Forms

[2 West's Federal Forms § 6:13](#), Disclosure Statement.

[2 West's Federal Forms § 6:143](#), Disclosure Statement--Nongovernmental Corporate Party [Fed. R. Civ. P. 7.1(A).]

[2 West's Federal Forms § 6:143.50](#), Disclosure Statement--Parties or Intervenors in a Diversity Case [Fed. R. Civ. P. 7.1(A).]

[2 West's Federal Forms § 6:145](#), Disclosure Statement--Southern District of New York [Fed. R. Civ. Pro. 7.1].

Treatises and Practice Aids

[Bankruptcy Procedure Manual Rule 7007.1](#), Corporate Ownership Statement.

[27 Federal Procedure, Lawyers Edition § 62:107](#), Disclosure Statement for Corporate Parties.

[11 Norton Bankruptcy Law and Practice 3d Fed. R. Bankr. P. 7007.1](#), Corporate Ownership Statement.

[Wright & Miller Federal Practice and Procedure § 1197](#), Disclosure Statement--In General.

[Wright & Miller Federal Practice and Procedure § 1198](#), Disclosure Statement--Diversity of Citizenship Determination.

Relevant Notes of Decisions (3)

[View all 6](#)

Notes of Decisions listed below contain your search terms.

Waiver

Telephone service provider's limited involvement in consumer's action, alleging unfair practices regarding long distance charges, was insufficient to amount to waiver of its right to arbitrate under agreement, where provider only filed motion to dismiss and prepared initial corporate disclosures. [Lenfest v. Verizon Enterprise Solutions, LLC, D.Mass.2014, 52 F.Supp.3d 259](#), appeal dismissed. [Alternative Dispute Resolution](#) 🔑 182(2)

Identity

Patentee, which was a wholly owned subsidiary of a parent holding company that was not a party, was required, under district court's local rule requiring parties to file, with their first appearance, a notice of interested parties, to publicly disclose in patent-infringement action the identity of any investment funds or individual investors who owned more than 10% of the parent holding company, even though patentee had provided certain information about parent company's ownership to defendant, since the purpose of the disclosure requirement was to enable the court to evaluate possible disqualification or recusal, and the 10%

threshold was the same one found in related rules of civil and appellate procedure. [Entropic Communications, LLC v. DirecTV, LLC, C.D.Cal.2023, 688 F.Supp.3d 978. Judges 51\(1\)](#)

Contractor was required to disclose identity of its corporate parent in subcontractor's breach of contract suit against it, despite contractor's contention that revealing identity of its parent would allow other companies access to capital sufficient to enter international steel market and in doing so reduce its market share; corporate disclosure statement would assist district court in determining whether it might have conflict of interest, and contractor did not provide any explanation as to why its interest exceeded public's interest in disclosure. [Steel Erectors, Inc. v. AIM Steel International, Inc., S.D.Ga.2016, 312 F.R.D. 673. Federal Civil Procedure 1275; Records 649](#)

Fed. Rules Civ. Proc. Rule 7.1, 28 U.S.C.A., FRCP Rule 7.1

Including Amendments Received Through 12-1-24

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